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JOHN F. DAVIS, CLERK

Supreme Court of the United States

October Term, 1965

396

No. _____

Hugo DeGregory, Appellant

v.

**Attorney General of the
State of New Hampshire, Appellee**

Motion to Dismiss and/or Affirm

THE STATE OF NEW HAMPSHIRE

By

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INDEX

| | Page |
|---|----------|
| PRELIMINARY STATEMENT | 1 |
| STATEMENT OF THE CASE | 1 |
| MOTION TO DISMISS AND/OR AFFIRM | 3 |
| I. No Substantial Federal Question is Involved. | 3 |
| A. No Substantial Federal Question is presented in the Decision of the New Hampshire Supreme Court, Affirming Appellant's Contempt Citation, in that this Honorable Court has, on basically the same facts, dismissed a prior appeal of appellant and affirmed the decision of the New Hampshire Supreme Court which decided the same issue as raised in this appeal as well as other issues. | 3 |
| B. No federal question is presented by the decision of the New Hampshire Legislature to appoint the Attorney General and his staff as a legislative investigating committee to inquire as to subversive activities in and affecting the State of New Hampshire; nor is there question that the information sought by the Attorney General was in fact desired by the Legislature. | 5 |
| C. No federal question is presented by the foundations laid by the Attorney General with respect to the subject matter under investigation and Appellant's relation thereto. | 8 |
| D. No federal question is presented by the foundation laid by the Attorney General with respect to apprising Appellant of the topic under inquiry and the connective reasoning whereby the precise questions relate to it. | 9 |

| | |
|---|------|
| | Page |
| E. No federal question is presented in regard to the tests employed by the New Hampshire courts in determining the propriety of the action of the Attorney General relative to Appellant. | 10 |
| II. The cases of American Committee for Protection of Foreign Born v. Subversive Activities Control Board and Veterans of the Abraham Lincoln Brigade v. Subversive Activities Control Board are not controlling. | 11 |
| A. No federal question is involved in the demand for the particular information requested by the Attorney General. | 13 |
| CONCLUSION | 14 |
| APPENDIX | 16 |
| A. Wyman v. De Gregory 103 N. H. 214 | 16 |
| B. De Gregory v. Wyman 368 U.S. 19 | 23 |
| C. Maynard v. De Gregory 106 N.H.—, | 24 |
| D. New Hampshire R.S.A. 588 | 30 |

CASES CITED

| | Page |
|---|---------------------|
| American Committee for Protection of Foreign Born v. Subversive Activities Control Board, 380 U.S. 59 | 11 |
| Barenblatt v. U.S., 360 U.S. 109, 3 L ed 2d 1115, 79 S. Ct. 1081 | 8, 10, 13 |
| Chapman, In re 166 U.S. 661, 41 L ed 1154 | 13 |
| Communist Party of the United States v. Subversive Activities Control Board, 367 U.S. 1, 6 L ed 625, 81 S. Ct. 1357 | 14 |
| Dennis v. U. S. 341 U.S. 494, 95 L. ed 1137, 71 S. Ct. 857 | 5 |
| Gibson v. Florida Legislative Committee, 372 U.S. 539, 9 L ed 2d 929, 83 S. Ct. 889 | 8, 12, 13, 14 |
| Gitlow v. N.Y., 268 U.S. 652, 69 L. ed 1138, 45 S. Ct. 625 | 5 |
| Journey v. MacCracken, 294 U.S. 125, 79 L. ed 802, 55 S. Ct. 375 | 5 |
| Kahn v. Wyman, 100 N.H. 245 | 10 |
| Kilbourn v. Thompson, 103 U.S. 168, 26 L ed 377 | 5 |
| Maynard v. DeGregory, 106 N.H. —, 209 A. 2d 712 (Dec'd Apr. 30, 1965) | 1, 3, 9, 10, 11, 14 |
| McGrain v. Daugherty, 273 U.S. 135, 71 L ed 580 | 5, 13 |
| Nelson v. Wyman, 99 N.H. 33 | 10, 13 |
| Pennsylvania v. Nelson, 350 U.S. 497, 100 L ed 640, 76 S. Ct. 477 | 4 |
| Rumely v. U. S. 345 U.S. 41, 97 L ed 770, 73 S. Ct. 543 | 13 |
| Sinclair v. U.S., 279 U.S. 263, 73 L ed 692, 49 S. Ct. 268 | 5, 13 |

| | Page |
|--|----------------------------------|
| Sweezy v. Wyman, 354 U.S. 234, 1 L ed 2d 1311, 77 S. Ct. 1203 | 8, 10, 14 |
| U. S. v. Josephson, 165 F. 2d 82 | 13 |
| U. S. v. Orman, 207 F. 2d 148 | 13 |
| Uphaus v. Wyman, 355 U.S. 16, 2 L ed 2d 22, 78 S. Ct. 57 | 10 |
| Uphaus v. Wyman, 101 N.H. 139, 360 U.S. 72, 3 L ed 2d 1090, 79 S. Ct. 1040 | 5, 6, 9, 10, 11, 13, 14 |
| Veterans of the Abraham Lincoln Brigade v. Subversive Activities Control Board, 380 U.S. 503 | 11 |
| Watkins v. U.S., 354 U.S. 178, 1 L ed 2d 1273, 77 S. Ct. 1178 | 8, 10 |
| Wyman v. DeGregory, 101 N.H. 171 | 10 |
| Wyman v. DeGregory, 103 N.H. 214, 368 U.S. 19, 7 L ed 2d 86, 82 S. Ct. 137 | 2, 4, 5, 6, 8, 9, 10, 11, 12, 14 |
| Wyman v. Sweezy, 100 N.H. 103 | 9, 10 |
| Wyman v. Uphaus, 100 N.H. 436 | 10 |
| Wyman v. Uphaus, 102 N.H. 461 | 10 |

U. S. CONSTITUTION

| | |
|---------------|---|
| 5th Amendment | 4 |
|---------------|---|

FEDERAL STATUTES

| | |
|--|----|
| Title 28 U. S. Code, § 1257 (2) | 3 |
| Subversive Activities Control Act (s. 7) 64 Stat. 987, 993, 50 U.S.C. s. 786 | 11 |
| Supreme Court Rules Title 28 U.S.C. Rule 16 | 1 |

NEW HAMPSHIRE STATUTES

| | Page |
|---|---------|
| Revised Statutes Annotated 491:20 | 2 |
| Revised Statutes Annotated 588 | 4, 8, 9 |
| Revised Statutes Annotated 588:8-a (supp) | 8 |
| Laws 1957, Ch. 178, p. 213 | 6 |
| Ch. 347, p. 538 | 6 |
| Laws 1961, Ch. 224:1, p. 33 | 8 |
| Ch. 225:1, p. 402 | 8 |
| Laws 1963, Ch. 198:1, p. 201 | 8 |
| Ch. 199:1, p. 298 | 8 |
| Laws 1965, Ch. 239 | 8 |
| Ch. 282 | 8 |

MISCELLANEOUS

| | |
|---|--------------|
| 33 <i>BU Law Review</i> 337, "Rights of Witnesses Before Congressional Committees" | 13 |
| Defendant's Brief, p. 3 (Wyman v. DeGregory, 106 N.H. —, 209 A 2d 712, Dec'd Apr. 30, 1965) | 4 |
| Report of the Attorney General to the New Hampshire General Court (January 5, 1955) | 8, 9, 10, 13 |
| Transcript of Attorney General's Hearing (November 22, 1963) | 10 |
| Trial Transcript (May 20, 1964) | 10, 13 |